

PROB 12B  
(NYBP-11/25/02)

**United States District Court**  
for the  
**Eastern District of New York**

**FILED**  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.  
★ MAR 15 2006 ★

**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**  
*(Probation Form 49, Waiver of Hearing is Attached)*

P.M. \_\_\_\_\_  
TIME A.M. \_\_\_\_\_

Name of Offender: **Daniel Persico**

Case Number **00-CR-196-S-2**

Name of Sentencing Judicial Officer: **I. Leo Glasser, Senior USDJ**

Date of Original Sentence: **February 21, 2002**

Original Offense: **Engaging in Monetary Transactions with Property Derived from Unlawful Activity**

Original Sentence: **21 months custody plus 3 years supervised release**

Type of Supervision: **Supervised release**

Date Supervision Commenced: **November 14, 2003**

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total term of years.
- ☒ To modify the conditions of supervision as follows:

For a period of thirty days, the defendant shall remain in his or her home of record. The defendant is only authorized to leave for employment or other necessary activities with the approval, in advance, of the Probation Department. The home confinement period shall commence on a date approved by the Probation Department. While serving the period of home confinement, the defendant shall wear an electronic monitoring bracelet or similar tracking device and follow all requirements and procedures established for home confinement by the Probation Department and the Administrative Office of U.S. Courts. In addition, the defendant shall pay the costs of home confinement, including the price of the electronic monitoring equipment, to the degree he or she is reasonably able. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay.

Request for Modifying the  
Conditions or Terms of Supervision  
with Consent of the Offender

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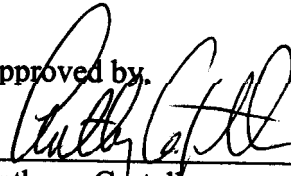
CAUSE

Respectfully submitted by,



Robert Anton  
U.S. Probation Officer  
Date: March 13, 2006

Approved by.



Anthony Castellano  
Supervising U.S. Probation Officer  
Date: March 13, 2006

THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

s/ILG

Signature of Judicial Officer

Date

3/13/06

**MEMORANDUM  
TO THE HONORABLE I. LEO GLASSER  
SENIOR U.S. DISTRICT JUDGE**

**RE: PERSICO, Daniel  
DKT.#: 00-CR-196-S--2  
Request For Modification of  
Release Conditions**

On February 21, 2002, Your Honor sentenced the captioned defendant to twenty-one months imprisonment followed by three years supervised release. A \$100 special assessment fee (paid) was also imposed. This sentence followed the defendant's plea of guilty to one count of Engaging in Monetary Transactions with Property Received from Unlawful Activity.

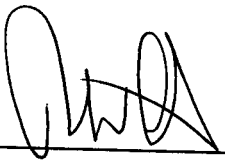
On November 14, 2003, the defendant was released from federal custody.

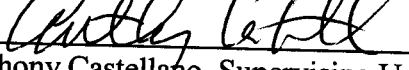
At this time we write to request the modifications of the defendant's release conditions to include 30 days of home confinement based on the defendant's failure to follow our directive. Specifically, the defendant associated with reputed Colombo Crime Family Soldier Craig Marino in May 2004 at the 101 Restaurant in Brooklyn. We learned of this association as a by-product of an FBI investigation into the criminal activities of the defendant's brother, Theodore, Jr.. The association was recently disclosed to us. We confronted the defendant and he has agreed to serve 30 days on home confinement as a sanction for this violation, as evidenced by the attached Probation Form 49.

If Your Honor concurs with this modification, please sign the attached 12B.

Respectfully submitted:

TONY GAROPPOLO  
CHIEF U.S. PROBATION OFFICER

Prepared by:   
Robert W. Anton, Sr. U.S. Probation Officer

Approved by:   
Anthony Castellano, Supervising U.S. Probation Officer

March 13, 2006  
Attachments

PROB 49  
(NYEP-10/28/05)

## United States District Court

EDNY

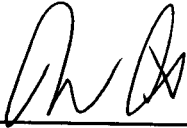
### Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and the assistance of counsel before any unfavorable change(s) may be made in my conditions of Probation and/or Supervised Release or before my period of supervision can be extended. By assistance of counsel, " I understand that I have the right to be represented at a hearing by counsel of my choosing if I am able to retain counsel. I also understand that I have the right to request that the Court appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel. "

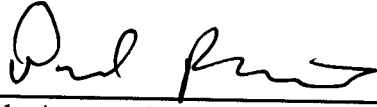
I hereby voluntarily waive my statutory right to a hearing and to the assistance of counsel. I also hereby agree to the following modification (s) of my conditions of Probation and/or Supervised Release or to the proposed extension of my term of supervision:

*For a period of 30 days, the defendant shall remain in his or her home of record. The defendant is only authorized to leave for employment or other necessary activities with the approval, in advance, of the Probation Department. The home confinement period shall commence on a date approved by the Probation Department. While serving the period of home confinement, the defendant shall wear an electronic monitoring bracelet or similar tracking device and follow all requirements and procedures established for Home Confinement by the Probation Department and the Administrative Office of U.S. Courts. In addition, the defendant shall pay the costs of home confinement, including the price of electronic monitoring equipment, to the degree he or she is reasonably able. The defendant shall disclose all financial information and documents to the Probation Department to assess his or her ability to pay.*

Witness:

  
\_\_\_\_\_  
U.S. Probation Officer

Signed:

  
\_\_\_\_\_  
Probationer or Supervised Releasee

3/16/06  
\_\_\_\_\_  
Date